

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

JAMES THOMAS, SR. (#14749)

VERSUS

ROBERT TANNER, WARDEN

CIVIL ACTION

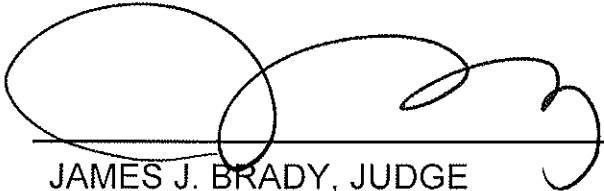
NO. 11-425-JJB-DLD

**RULING**

The court has carefully considered the petition, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Docia L. Dalby dated May 7, 2012 (doc. no. 10). The plaintiff has filed objections which the court has considered and finds that it lacks any merit.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein. Accordingly, the petitioner's application for habeas corpus relief is DISMISSED as untimely and as barred by procedural default.

Baton Rouge, Louisiana, this 6<sup>th</sup> day of August, 2012.



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JAMES J. BRADY, JUDGE  
MIDDLE DISTRICT OF LOUISIANA